

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	FRANCISCO CAMPOS,	Case No. 2:21-cv-00093-APG-NJK
4	Plaintiff	<b>ORDER</b>
5	v.	
6	CHARLES DANIELS, <i>et al.</i> ,	
7	Defendants	
8		

9 **I. DISCUSSION**

10 On January 15, 2021, Plaintiff, an inmate in the custody of the Nevada Department of  
 11 Corrections (“NDOC”), submitted a civil rights complaint under 42 U.S.C. § 1983 and filed an  
 12 application to proceed *in forma pauperis*, Docket Nos. 1-1, 1. Plaintiff’s application to proceed *in*  
 13 *forma pauperis* is incomplete. Plaintiff has not submitted an inmate account statement for the  
 14 previous six-month period with his application.

15 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil  
 16 action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without  
 17 prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit  
 18 all three of the following documents to the Court:

19 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court’s  
 20 approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3),  
 21 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official  
 22 (i.e. page 4 of this Court’s approved form), and  
 23 (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous**  
 24 **six-month period.**

25 Accordingly, the Court denies Plaintiff’s application to proceed *in forma pauperis*, Docket  
 26 No. 1, without prejudice because the application is incomplete. The Court will grant Plaintiff a  
 27 **one-time extension** to file a fully complete application to proceed *in forma pauperis* containing  
 28 all three of the required documents. Plaintiff will file a fully complete application to proceed *in*

1 *forma pauperis* on or before **March 29, 2021**. Absent unusual circumstances, the Court will not  
 2 grant any further extensions of time. If Plaintiff does not file a fully complete application to  
 3 proceed *in forma pauperis* with all three required documents on or before **March 29, 2021**, this  
 4 case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court  
 5 when Plaintiff is able to acquire all three of the documents needed to file a fully complete  
 6 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

7 A dismissal without prejudice means Plaintiff does not give up the right to refile the case  
 8 with the Court, under a new case number, when Plaintiff has all three documents needed to submit  
 9 with the application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file  
 10 an application to proceed *in forma pauperis* and instead pay the full filing fee of \$402 on or before  
 11 **March 29, 2021** to proceed with this case.

12 The Court will retain Plaintiff's civil rights complaint, Docket No. 1-1, but the Court will  
 13 not file the complaint unless and until Plaintiff timely files a fully complete application to proceed  
 14 *in forma pauperis* with all three documents or pays the full \$402 filing fee.

15 **II. CONCLUSION**

16 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma*  
 17 *pauperis*, Docket No. 1, is denied without prejudice to file a new fully complete application to  
 18 proceed *in forma pauperis* with all three documents.

19 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved  
 20 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled  
 21 information and instructions for filing an *in forma pauperis* application.

22 IT IS FURTHER ORDERED that on or before **March 29, 2021**, Plaintiff will either pay  
 23 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52  
 24 administrative fee) or file with the Court:

25 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's  
 26 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page  
 27 3),

28 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official

1 (i.e. page 4 of this Court's approved form), and  
2 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**  
3 **six-month period.**

4 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to  
5 proceed *in forma pauperis* with all three documents or pay the full \$402 filing fee for a civil action  
6 on or before **March 29, 2021**, this case will be subject to dismissal without prejudice for Plaintiff  
7 to refile the case with the Court, under a new case number, when Plaintiff has all three documents  
8 needed to file a complete application to proceed *in forma pauperis* or pays the the full \$402 filing  
9 fee.

10 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket  
11 No.1-1, but the Court will not file it at this time.

12 IT IS SO ORDERED.

13 DATED: January 21, 2021

14   
15 NANCY J. KOPPE  
16 UNITED STATES MAGISTRATE JUDGE  
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